

Federal Communications Commission
Washington, D.C.

March 22, 2000

DOCKET FILE COPY ORIGINAL

Christopher Maxwell
Virginia Center for The Public Press
Radio Free Richmond Project
1621 W. Broad St.
Richmond, Va. 233220

Re: Acceptance of Motion As Timely Filed in (Docket No. 99-325)

The Office of the Secretary has received your request for acceptance of your pleading in the above-referenced proceeding as timely filed due to operational problems with the Electronic Comment Filing System (ECFS). Pursuant to 47 C.F.R. Section 0.231(I), the Secretary has reviewed your request and verified your assertions. After considering arguments, the Secretary has determined that this pleading will be accepted as timely filed.

However, Motions for Extensions of Time for the Reply Comment period are within the discretion of the bureau. We have forwarded your request in this regard to the

bureau for their consideration. If we can be of further assistance, please contact our office.

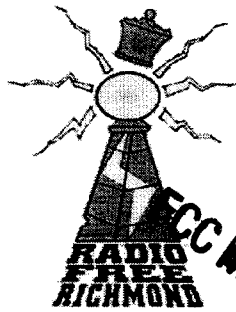
FEDERAL COMMUNICATIONS COMMISSION

for *William F. Carter*
Magalie Roman Salas
Secretary

Before the
FEDERAL COMMUNICATIONS
COMMISSION
Washington, DC 20554

In the Matter of Digital Audio
Broadcasting Systems and Their
Impact On the Terrestrial Radio

MM Docket No. 99-325
Broadcast Service.



RECEIVED
FEB 24 2000
ECC MAIL ROOM

From: Christopher Maxwell
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Virginia Center for
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**MOTION FOR EXTENSION OF REPLY-COMMENT PERIOD FOR 99-325
DUE TO FAILURE OF ECFS SYSTEM TO ALLOW ACCESS TO COMMENTS**

Please Accept this motion as Accepted for Timely Filing due to failure of ECFS systems

The Electronic Comment Filing System (ECFS) has been a wonderful boon to people such as I, a volunteer that teaches people to create media shows in Richmond Virginia in the evenings and on the weekends. We only recently have taken the time to learn the intricacies of communications regulations because of the potential for our mission presented by the Low Power Radio Service as well as the potential threat to our ability to hear certain stations posed by certain proposals for the Digital Audio Broadcasting In Band On Channel transition.

Unfortunately, the ECFS has been down to the point of near uselessness for almost two weeks. The ECFS system has been acting up as early as 2/1/00. *This prevents reading* the comments on IBOC Digital Audio Broadcasting (IBOC-DAB) proposals for Docket 99-325, to which we would reply.

On some occasions, the adobe reader seems to work better if the files are downloaded to the Harddrive first.

So in a final attempt to exercise my obligation as a commenter to read all relevant available material, on 2/22/00 from 6pm-10pm, I uninstalled an application and deleted files to make room for an attempt to the download and viewing of the files for organizations listed below in an effort to check the comments of others before sending in our comments on those we *have* been able to read.

Your server might verify that I was attempting to access the Adobe Files of the following comments for 99-325 from Richmond, Virginia:

National Association of Broadcasters
Consumer Electronics Manufacturers Association
Cue Corporation
Greater Media Corporation
Infinity Broadcasting

Lucent
Picture Radio
Public TV
QIE Corporation
USADR

No. of Copies rec'd 045
List ABCDE

Christopher Maxwell of the Virginia Center for the Public Press
MOTION FOR EXTENSION OF REPLY-COMMENT PERIOD FOR 99-325
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My Adobe Acrobat reader was working just fine because I was able to view and download-and-view the files for comments on 96-120 as well as *some* of the comments on 99-325 (listed here):

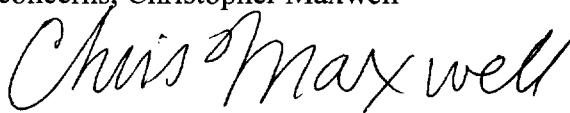
Digital Radio Express
Natl Institute for Standards and Technology
National Public Radio

Rogue Radio
Small Business Administration
Sony

I emailed ecfshelp@fcc.gov and bcline@fcc.gov on 2/15/2000 with an alert that neither of the systems to read comments were working although I have also emailed Bill Cline **as early as 2/1/2000**. Thus we need the time (nearly a month!) lost that would have otherwise been available for reading the comments and researching our responses.

Sincerely, Thank-you for your consideration of our concerns, Christopher Maxwell

ATTACHED:



-The text and headers (of my outgoing) email regarding trouble with the ECFS system.

From my aol "Sent Mail" folder:

Subj: Neither system seems to be working ...
Date: 2/15/2000 2:00:29 PM Eastern Standard Time
From: WRFR
To: ecfshelp@fcc.gov
CC: bcline@fcc.gov

I get alternately,

Server Error ... messed up configuration ..

or when I try to read or even download a *.pdf document, my PDF reader (Acrobat 2.1) claims doc has errors. and it displays a blank page.

I know my Acrobat works because older files from my HD, it reads just fine!!!

Unfortunately, it has been this way since Sunday night, but got WORSE on Monday.

Please pardon if it is those hackers or something broken on my end.

Sincerely, Christopher Maxwell
Virginia Center for the Public Press
Wrfr@aol.com

Christopher Maxwell of the Virginia Center for the Public Press
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and

Subj: Problems with 99-325 comments ...
Date: 2/1/2000 7:03:18 PM Eastern Standard Time
From: WRFR
To: bcline@fcc.gov

Pardon the disturbance,

It may be on my end:
But I cannot read the NAB comments for 99-325 submitted 1/24/00

AND:

I had trouble getting thru to the ECFS system on the evening of 1/24/00 and so when I finally DID get the system to work right, it was 1/25/00 at 00:38 hours.

For some reason, however, OUR submitted comments are listed as 1/27/00 !!!

Technically it ought to be 1/25/00 ... but since I had trouble (probably due to the blizzard blowing the phone lines, or everyone and their brother on the Internet, or both) getting the system to respond accordingly, I was hoping perhaps you could correct that to say 1/24/00 !

Sincerely, Christopher Maxwell
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804-649-9737
<http://members.aol.com/Wrfr>



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